

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**PAUL MACOLINO,**

**Plaintiff,**

**v.**

**TOWNSHIP OF LOWER MORELAND, et al.,**

**Defendants.**

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**CIVIL ACTION**

**No. 18-1476**

**ORDER**

**AND NOW**, this 30<sup>th</sup> day of September, 2020, upon consideration of Defendant Officer Sean McCoy's Motion to Dismiss (ECF No. 34), Defendant Raymond Mullen's Motion to Dismiss (ECF No. 35), and Plaintiff's responses thereto (ECF Nos. 36 and 38), it is hereby **ORDERED** that:

- Defendant Officer McCoy's motion is **GRANTED** regarding Plaintiff's § 1983 false imprisonment, malicious prosecution, and denial of due process claims and Plaintiff's state law false arrest and false imprisonment claims.
- Defendant Officer McCoy's motion is **DENIED** regarding Plaintiff's § 1983 false arrest claim and state law malicious prosecution claim as well as Plaintiff's claim for punitive damages.
- Defendant Mullen's motion is **GRANTED** regarding Plaintiff's § 1983 false arrest, false imprisonment, malicious prosecution, and denial of due process claims and Plaintiff's state law false arrest and false imprisonment claims.

- Defendant Mullen's motion is **DENIED** regarding Plaintiff's state law malicious prosecution claim.
- Defendants shall respond to the Amended Complaint **within 14 days of the date of this Order.**

**BY THE COURT:**

/s/ Mitchell S. Goldberg  
**MITCHELL S. GOLDBERG, J.**